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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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JUDGMENT

OSTEEN, District Judge

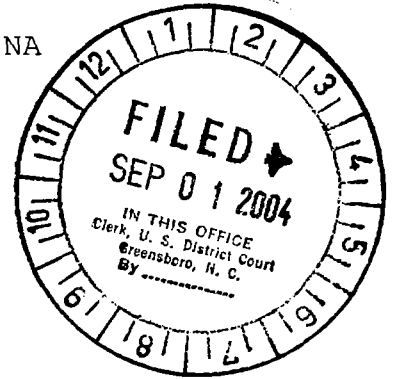
For the reasons set forth in the memorandum opinion entered contemporaneously herewith,

IT IS ORDERED AND ADJUDGED that Defendant's Motion for Summary Judgment [36] is GRANTED.

IT IS ORDERED that the following motions by Defendant are dismissed as moot:

1. For Judgment on the Pleadings Pursuant to Rule 12(c) as to Plaintiff's Second, Fifth and Sixth Causes of Action [26];
2. To Dismiss Plaintiff's Fifth and Sixth Causes of Action Pursuant to Rule 12(b)(2) [27];
3. To Compel Introduction of Complete Record Statements [60].

IT IS FURTHER ORDERED that the following motions by Defendant to strike proffered testimony are dismissed as moot:



1. The Self-Serving Affidavit of Plaintiff as to Her Own Performance and the Grounds for Her Termination and Interpersonal Difficulties with Ms. Wimbish [61];

2. The Proffered Testimony of Plaintiff Concerning an Overheard Conversation Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [62];

3. The Proffered Testimony of Ms. Kimberly Cook Concerning an Overheard Conversation Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [63];

4. The Proffered Testimony of Ms. Marcia Margoutta Concerning an Overheard Conversation City in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [64];

5. The Proffered Testimony of Ms. Vickie Jones that Plaintiff was the Victim of Discrimination Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [65];

6. The Proffered Testimony of Ms. Kimberly Cook That Plaintiff Was the Victim of Discrimination Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [66];

7. The Proffered Testimony of Ms. Marcia Margoutta that Plaintiff Was the Victim of Discrimination Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [67];

8. The Proffered Testimony of Plaintiff Concerning an Overheard Conversation Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [68];

9. The Proffered Testimony of Ms. Kimberly Cook Concerning an Overheard Conversation Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [69];

10. The Proffered Testimony of Ms. Marcia Margoutta Concerning an Overheard Conversation Cited in Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [70].

This the 15th day of September 2004.


United States District Judge